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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Angel Luis Rodriguez, Jr., individually and as
a representative of the class,

Plaintiff,

v.

National Credit Center, LLC,

Defendant.

Case No.: 2:23-cv-00738

**DEFENDANT’S NOTICE OF
REMOVAL PURSUANT TO 28 U.S.C.
§§ 1331, 1441, AND 1446
(FEDERAL QUESTION)**

PLEASE TAKE NOTICE that National Credit Center, LLC (“NCC”) hereby removes this action, *Angel Luis Rodriguez, Jr. v National Credit Center, LLC*, Case No. A-23-869000-B, Eighth Judicial District Court, Clark County, Nevada, to the United States District Court for the District of Nevada, pursuant to 28 U.S.C. §§ 1331, 1441, and 1446. NCC states as follows for its Notice of Removal:

1. Angel Luis Rodriguez, Jr. (“Plaintiff”) filed his Complaint in the State Court on April 14, 2023.

2. NCC received a copy of the Summons and Complaint on or about April 19, 2023. The Summons and Complaint are attached hereto as **Exhibits A and B**, respectively. Exhibits A and B satisfy NCC’s obligations under 28 U.S.C § 1446(a).

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3. The complaint asserts claims based on the Fair Credit Reporting Act, 15 U.S.C § 1681, *et seq.* NCC denies the allegations in the complaint and maintains that Plaintiff's allegations fail to support a claim for which relief can be granted. By removing this case, NCC does not waive any defenses, objections, or motions available under applicable law, including without limitation the right to move for dismissal pursuant to Federal Rule of Civil Procedure 12.

Jurisdiction and Basis for Removal

4. This Notice of Removal is timely because it is being filed within 30 days after service of the Summons and Complaint. *See* 28 U.S.C. § 1446(b)(1). The time for NCC to answer, move, or otherwise plead with respect to the Complaint has not yet expired. *See Exhibits A, B*; Nev. R. Civ. P. 12(a).

5. This Court has subject-matter jurisdiction pursuant to 28 U.S.C § 1331, which provides that district courts have original jurisdiction over "all civil actions arising under the laws of the United States." Plaintiff's complaint in the State Court Action alleges violations of the Fair Credit Reporting Act ("FCRA"). Accordingly, this Court has jurisdiction over the action pursuant to 28 U.S.C § 1331, and this case is removable pursuant to the Court's federal question jurisdiction. *See* 28 U.S.C § 1441(a).

6. Venue is proper in this Court under 28 U.S.C § 1441(a), because the court where the State Court Action is pending, the District Court of Nevada of Clark County, is within this judicial district.

7. In accordance with 28 U.S.C. § 1446(d), written notice hereof is being provided to Plaintiff and a copy of this Notice of Removal is being filed contemporaneously with the State Court.

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1 WHEREFORE, NCC removes this action in its entirety from the Eighth Judicial
2 District Court, Clark County, Nevada, to the United States District Court for the District of
3 Nevada, and requests that this Court take any and all further action as is just or appropriate.

4 DATED this 10th day of May, 2023.

5 LEWIS ROCA ROTHGERBER CHRISTIE LLP

6
7 /s/ J Christopher Jorgensen
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that on this day, I caused a true and correct copy of the above document entitled **NOTICE OF FILING FOR REMOVAL TO U.S. DISTRICT COURT** to be filed with the Clerk of the Court via the CM/ECF system, which will send an electronic copy to the following:

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Attorneys for Plaintiff

Dated this 10th day of May, 2023.

/s/ Rebecca J. Contla
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